

Board Proposes “Identical-in-Substance” Amendments to Hazardous Waste Rules, including Definition of “Solid Waste”

On July 26, 2018, the Board proposed—for public comment—amendments to its hazardous waste rules. The proposed amendments are “identical in substance” to rule amendments adopted by the United States Environmental Protection Agency (USEPA) during the first half of 2018. In January 2018, USEPA revised hazardous waste manifest requirements and established a user fee system for the e-Manifest System. And, in May 2018, USEPA revised the Definition of Solid Waste Rule (DSWR)—in response to judicial vacatur—by removing 2015 revisions to the DSWR and restoring segments of the 2008 revisions. These USEPA amendments make the current federal definition of “solid waste” less stringent than the prior one. The Board’s proposal also included limited non-substantive revisions and corrections to its rules.

The Board’s rulemaking is captioned [RCRA Subtitle C Update, USEPA Amendments \(January 1, 2018 through June 30, 2018\)](#), docket R19-3. Here is a link to the Board’s [opinion and order](#), which includes the proposed rule text. And, here is a link to the Board’s [addendum](#), which provides tables of information concerning the rulemaking. The proposed amendments appeared in the *Illinois Register* on August 17, 2018 (42 Ill. Reg. 15551, 15602, 15671, 15694, 15711, 15748). Public comments on the proposed amendments must be filed by October 1, 2018. For more information, please contact Michael McCambridge at 312-814-6924 or Michael.McCambridge@Illinois.Gov.